

Vice-President Roland convened the public meeting of Hanover Borough Council on Wednesday, January 25, 2023 at 7:05 PM in the Hanover Borough Council Chamber, 44 Frederick Street, Hanover, PA, as advertised.

### **PRELIMINARY MATTERS & OFFICERS' REPORTS**

Vice-President Roland called the regular business of the meeting to order and asked all those in attendance to recite the Pledge of Allegiance followed by a moment of silence.

On roll call the following answered as present: Mr. Fuentes, Mrs. Funk, Mrs. C. Greenholt, Mr. G. Greenholt, Mr. Hegberg, Mr. Kress, Mr. Lockard, Mr. Roland, and Dr. Rupp; Mayor Whitman; Solicitor Shultis; Staff Members Secretary Felix and Borough Manager Lewis. Mr. Reichart was absent this evening.

Vice-President Roland acknowledged that an executive session was held this evening between 6:30 to 6:40 PM regarding the conditional use public hearing under Section 708(a) 4 and 5 of the Sunshine Act.

On behalf of Borough Council, Vice-President Roland welcomed Mr. Gordon Lillich and Scout Troop #105, who were in attendance this evening for their community merit badge.

**Public Comment:** None was presented.

### **Consent Agenda**

It was moved by Mr. Lockard, seconded by Mrs. Funk to approve the following items on the Consent Agenda:

- a. Approve the Minutes: Council Meeting December 28, 2022
- b. Finance Reports:
  1. Approve Bills for Payment
  2. Accept Monthly Financial Statement
  3. Accept Report of Monthly Investments
- c. Special Events: Approve
  1. Snack Town Brewfest: Moul field 9/16/2023 (change of date)
- d. Assistant Treasurer: Approve appointment of John Tracey
- e. Facility Access Form: Approve form for contractor facility access
- f. High Pointe at Rojen Farms (Phase 4): Approve Water Service Agreement (*off Grandview Road near Kortney Drive in Penn Twp*)
- g. McKinsley Heights: Approve Bond Release (*McSherrystown*)
- h. Disposition of Records: Approve Resolution according to PA Historic & Museum Commission guidelines

Motion carried.

### **REPORTS OF THE STANDING COMMITTEES**

#### **Council Workshop/Finance & Personnel Committee – Mr. Roland**

It was moved by Mr. Roland, seconded by Mrs. Greenholt to ratify the action of the proper officers of the Borough in approving the following Real Estate Tax Lien Filings by the Hanover Borough Tax Collector Holly Liska, 207 Third Street, Hanover, PA and exonerating the Tax Collector from further efforts to collect the aforesaid taxes:

- i. The Real Estate Taxes listed on the "Return of Uncollected Real Estate Taxes for the year 2022" including one hundred seventeen (117) full bills totaling \$83,947.65 face value; and (five ) 5 interim bills totaling \$1,037.25 face value.
- ii. The Real Estate Taxes listed on the "Return of Uncollected Real Estate Taxes for the year 2021" including nine (9) interim bills totaling \$7,046.97 face value.

## **REPORTS OF THE STANDING COMMITTEES**

### **Council Workshop/Finance & Personnel Committee – Mr. Roland**

- a. Exonerate Per Capita Tax Collector Holly Liska, 207 Third Street, Hanover, PA from the collection of the following uncollected Per Capita Taxes listed on the January 2023 reports:

	<u>No. Bills</u>	<u>Amount</u>
2022 Full & Interim Per Capita Taxes	1,373	\$6,865

- b. Charge Delinquent Hanover Borough Tax Collector York Adams Tax Bureau, York, Pennsylvania with the collection of the following uncollected Per Capita Taxes listed on the January 2023 report from Hanover Borough Tax Collector Holly Liska, 207 Third Street, Hanover, PA for all persons who have been given more than the legal time limit for payment of Per Capita Taxes but have failed to do so:

	<u>No. Bills</u>	<u>Amount</u>
2022 Full & Interim Per Capita Taxes	2,496	\$12,480

- c. Charge 2023 Real Estate Tax Collector Holly Liska, 207 Third Street, Hanover, PA with the collection of 2023 Real Estate Tax in the amount of \$6,174,110.86 and authorizing the issuance of Tax Warrants for same with the payment of ninety-five hundredths (0.95%) percent commission on the collection of each tax bill collected.

Motion carried.

It was moved by Mr. Roland, seconded Mr. Fuentes to approve Ordinance No. 2337 for the 2023 appropriation of \$40,000 to Main Street Hanover, Inc. for utilization in furthering its purposes to stimulate downtown/neighborhood business revitalization in the Borough of Hanover, York County, Pennsylvania. On roll call, the following voted in favor of the motion: Mr. Fuentes, Mrs. Funk, Mrs. C. Greenholt, Mr. G. Greenholt, Mr. Hegberg, Mr. Kress, Mr. Lockard, Mr. Roland, and Dr. Rupp. Motion carried.

It was moved by Mr. Roland, seconded by Mr. Lockard to approve Ordinance No. 2338 for the 2023 appropriation of \$15,000 to the Hanover Economic Development Corporation for utilization in furthering its purposes of stimulating economic development in the Borough of Hanover, York County, Pennsylvania. On roll call, the following voted in favor of the motion: Mr. Fuentes, Mrs. Funk, Mrs. C. Greenholt, Mr. G. Greenholt, Mr. Hegberg, Mr. Kress, Mr. Lockard, Mr. Roland, and Dr. Rupp. Motion carried.

It was moved by Mr. Roland, seconded by Mr. Kress to approve a Request for Proposal (RFP) and to solicit bids from qualified contractors to provide fundraising and development services for Guthrie Memorial Library. Mr. Hegberg noted that tonight's approval is for the approval to formulate the RFP for solicitation. Motion carried.

It was moved by Mr. Roland, seconded by Mr. Lockard to approve a settlement agreement and an access easement agreement between 333 Realty, LLC v. Borough of Hanover & Thomas L. Allison and Rhonda L. Allison to ensure proper access to the adjacent properties owned by the Borough of Hanover and the Allisons for an unopened, undedicated ten (10') foot wide alley. Motion carried.

### **Governance & Policy Committee – Dr. Rupp**

It was moved by Dr. Rupp, seconded by Mr. Kress to approve the purchase and implementation of a timing system for public comment. Motion carried.

### **Public Works and Facilities Committee – Mr. Kress**

It was moved by Mr. Kress, seconded by Mr. Hegberg to approve the Civil Site Planning Proposal including authorization for staff to work with the architect to secure contracts for professional services related to the site survey, design and land planning work for the proposed Administration/Public Safety Facility and Public Works Campus. Motion carried.

## **REPORTS OF THE STANDING COMMITTEES**

### **Enhancement Committee – Mr. Hegberg**

It was moved by Mr. Hegberg, seconded by Dr. Rupp to accept the Dewberry Engineers, Inc. (Mechanicsburg, PA) May, 2022 proposal for "Feasibility Study to Implement Hanover's Downtown Streetscape and Beautification Plan" and authorize staff and the Borough Solicitor to develop a professional services agreement for subsequent execution by Hanover Borough Council. Mrs. Funk voted in opposition to the motion. Motion carried.

It was moved by Mr. Hegberg, seconded by Mr. Lockard to approve the appointment of the following Citizen Advisors to the Hanover Borough Council Enhancement Committee:

- a. Brian Johnson
- b. Austin Graham
- c. Isaac Riston

Motion carried.

### **Public Safety Committee – Mr. Lockard**

It was moved by Mr. Lockard, seconded by Mr. Kress to approve Ordinance No. 2339 amending Ordinance No. 2295 to designate the Snack Town Brewfest as a priority event under the Special Event Ordinance. On roll call, the following voted in favor of the motion: Mr. Fuentes, Mrs. Funk, Mrs. C. Greenholt, Mr. G. Greenholt, Mr. Hegberg, Mr. Kress, Mr. Lockard, Mr. Roland, and Dr. Rupp. Motion carried.

### **MAYOR'S REPORT** – Mayor Whitman reported the following:

- Dec 9th: The Hanover Area Chamber of Commerce hosted their Annual Holiday Luncheon. This year's well attended luncheon kicked off their 100th anniversary year celebration. The charismatic keynote speaker was Luke Bernstein, President and CEO of The Pennsylvania Chamber of Business and Industry. The Chamber recognized Stan Saylor for his many years of service in the PA House, serving since 1993. Congressman Lloyd Smucker, Senator Kristin Phillips-Hill, and PA State Rep. Kate Klunk also addressed Chamber members on a variety of topics.
- Dec 14th: Hanover Borough Police Department held our annual holiday breakfast and meeting. During the meeting Officer Robert Kesselring received a Letter of Achievement and Sergeant Matthew Waltersdorff and Receptionist Juanita Weaver each received a Commendation. For continuing education, Dr. Charlene Lane with Messiah University did an interactive presentation as part of the Handle with Care Program on the daily issues police officers experience and coping mechanisms they can employ.

In the afternoon UPMC Hanover held the unveiling of the much needed enlarged and improved Emergency Department, which now includes a dedicated section to safely and securely handle mental health emergencies and admissions.

And that evening The Borough of Hanover was the recipient of the Trail Organization Award presented by the York County Rail Trail Authority during their holiday party. Eric Mains, Director of Planning & Engineering and AJ Grimm, Public Works Director were there with me to accept this honor. We have been and remain a committed partner in the evolution of the Hanover Trolley Trail. In 2022 Hanover was formally added to the York County Trail Towns Program. We are progressively developing the Action Plan and its implementation as the trail continues to expand.

Mayor Whitlam reminded all that there will be a ribbon cutting at Fat Bat Brewery tomorrow at 4:00 PM for the unveiling of the bicycle repair station.

### **FIRE COMMISSION REPORT** - Fire Chief Clouser reported the following:

The annual reorganization meeting was held. Mr. Reichart was appointed Vice-Chairman, April Wetzel was appointed Secretary and Mr. Otis was appointed as Treasurer. A Chairman will be appointed in the near future.

The Fire Commission is in the process of searching for a business manager.

A third ambulance will go back into service.

## **FIRE COMMISSION REPORT**

The 2023 budget was adopted. Treasurer Otis and Manager Lewis were designated as authorized signatories.

There was a natural gas leak at Wirt Park Station involving an underground pipe that will need to be moved and repaired.

The bid for the new pumper was awarded to Pierce for 1.56 million with a seven (7) year lease agreement. The leasing agent will pay the entire amount upfront, allowing the Commission to take advantage of pre-build discounts, bringing the total lease price down to \$1,077,798, with a \$79,175 savings. There is a twenty (20) year life expectancy on the pumper. The 2004 Sutphen is due to be retired since it will be over twenty (20) years in service until the new pumper arrives.

The Borough's ladder truck payment obligation will end next year.

The 2022 EMS patient call volume was up by two hundred sixty-five (265) calls, for a total of four thousand eight hundred (4800) calls. There were three hundred twelve (312) calls dispatched to alternate stations because the two (2) available units were already dispatched on other calls. In 2022 the EMS operated at a positive balance of +\$55,000. Chief Clouser commended staff for excellent documentation.

All Fire Commission meetings will now be at Clover Lane Station.

Mr. Hegberg asked Chief Clouser for progress on the Fire Commission study. Human Resources Director Hill noted that an update is forthcoming.

Vice-President Roland thanked Chief Clouser for his report.

## **OTHER MATTERS**

**Public Comment** – None was presented.

Vice-President Roland relayed to the Boy Scouts that most of the discussion occurs at Committee meetings and then at the Council Workshop meeting on the third Wednesday of the month.

On behalf of Council, Vice- President Roland thanked the Boy Scouts, staff and Council for their attendance this evening.

Vice-President Roland noted the following February Council and Council Committee meetings:

### **FEBRUARY 2023 BOROUGH COUNCIL & COUNCIL COMMITTEE MEETINGS:**

*Governance and Policy Committee	Monday February 6, 2023 6:00 PM
*Public Safety committee	Tuesday, February 7, 2023 6:00 PM
*Public Works & Facilities Committee	Wednesday, February 8, 2023 6:00 PM
Council Workshop/Finance & Personnel	Wednesday, February 15, 2023 7:00 PM
Hanover Borough Council	Wednesday, February 22, 2023 7:00 PM

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*\*Meetings will be cancelled if there is no business. Please advise the Borough Secretary if you will be unable to attend any meetings.*

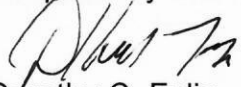
Mr. Fuentes noted that Council appreciates all citizens public comment and participation, and by placing a time device on public comment it is not intended to discourage public input, but to promote concise statements for the consideration of all those present.

## **ADJOURNMENT**

Vice-President Roland thanked all for their attendance this evening.

It was moved by Mr. Lockard, seconded by Mr. Kress to adjourn the meeting at 7:41 PM. Motion carried.

Respectfully submitted,

  
Dorothy C. Felix  
Borough Secretary

NO. 2337  
AN ORDINANCE

AN ORDINANCE APPROPRIATING \$40,000.00 FROM THE GENERAL FUND OF THE BOROUGH OF HANOVER TO MAIN STREET HANOVER, INC. FOR UTILIZATION IN FURTHERING ITS PURPOSES TO STIMULATE DOWNTOWN/NEIGHBORHOOD BUSINESS REVITALIZATION IN THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA.

WHEREAS, The Council of the Borough of Hanover is committed to the revitalization of the Borough's Downtown business district; and

WHEREAS, Main Street Hanover is a non-profit corporation whose purpose is, inter alia, "to stimulate downtown/neighborhood business revitalization in The Borough of Hanover, York County, Pennsylvania;" and

WHEREAS, Pursuant to the provisions of *The Borough Code*, the Borough is authorized to undertake community development programs (8 Pa.C.S.A. §1202 (49)) and pursuant to the provisions of the Act of December 10, 1974, P.L. 865, No. 292, §1.1, added 1975 December 3<sup>rd</sup>, P.L. 478 No. 141 §1 (53 P.S. §5421.1), the Borough is authorized and may "...by passage of an ordinance by its governing body, in any year expend, including by making an appropriation to a non-profit corporation organized for the community development purposes, ... its general municipal funds for community development programs..." and

WHEREAS, The Council of the Borough of Hanover has determined that it is appropriate to fund the downtown/neighborhood business revitalization efforts of Main Street Hanover, Inc. by the appropriation thereto of the amount of \$40,000.00 for year 2023.

BE IT ORDAINED AND IT IS HEREBY ORDAINED by The Council of The Borough of Hanover as follows, to wit:

SECTION 1. The sum of \$40,000.00 is hereby appropriated from the General Fund of The Borough of Hanover to Main Street Hanover, Inc. for its downtown/neighborhood business revitalization programs for the Borough of Hanover, York County, Pennsylvania.

SECTION 2. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would not have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof been included herein.

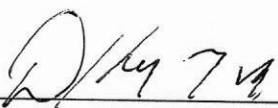
SECTION 3. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

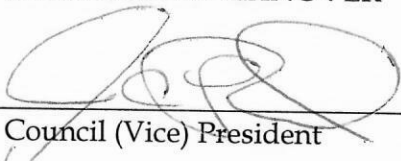
SECTION 4. Effective Date. This Ordinance shall become effective immediately upon its adoption.

ENACTED AND ORDAINED this 25<sup>th</sup> day of January, 2023.

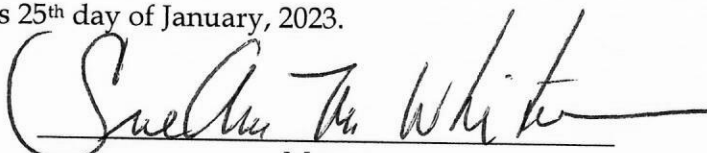
ATTEST:

BOROUGH COUNCIL OF THE  
BOROUGH OF HANOVER

  
\_\_\_\_\_  
Secretary

By:   
\_\_\_\_\_  
Council (Vice) President

APPROVED this 25<sup>th</sup> day of January, 2023.

  
\_\_\_\_\_  
Mayor

NO. 2338  
AN ORDINANCE

AN ORDINANCE APPROPRIATING \$15,000.00 FROM THE GENERAL FUND OF THE BOROUGH OF HANOVER TO THE HANOVER ECONOMIC DEVELOPMENT CORPORATION FOR UTILIZATION IN FURTHERING ITS PURPOSES OF STIMULATING ECONOMIC DEVELOPMENT IN THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA.

WHEREAS, The Council of the Borough of Hanover is committed to the revitalization of the Borough's Downtown business district; and

WHEREAS, The Hanover Economic Development Corporation is a non-profit corporation whose purpose is, inter alia, "to stimulate economic development in The Borough of Hanover, York County, Pennsylvania;" and

WHEREAS, Pursuant to the provisions of *The Borough Code*, the Borough is authorized to undertake community development programs (8 Pa.C.S.A. §1202 (49)) and pursuant to the provisions of the Act of December 10, 1974, P.L. 865, No. 292, §1.1, added 1975 December 3<sup>rd</sup>, P.L. 478 No. 141 §1 (53 P.S. §5421.1), the Borough is authorized and may "...by passage of an ordinance by its governing body, in any year expend, including by making an appropriation to a non-profit corporation organized for the community development purposes, ... its general municipal funds for community development programs...;" and

WHEREAS, The Council of the Borough of Hanover has determined that it is appropriate to fund the economic development activities of the Hanover Economic Development Corporation by the appropriation thereto of the amount of \$15,000.00 for year 2023.

BE IT ORDAINED AND IT IS HEREBY ORDAINED by The Council of The Borough of Hanover as follows, to wit:

SECTION 1. The sum of \$15,000.00 is hereby appropriated from the General Fund of The Borough of Hanover to the Hanover Economic Development Corporation for its community and economic development programs for the Borough of Hanover, York County, Pennsylvania.

SECTION 2. If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this ordinance. It is hereby declared as the intent of the Borough Council that this ordinance would not have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof been included herein.

SECTION 3. All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall become effective immediately upon its adoption.

ENACTED AND ORDAINED this 25<sup>th</sup> day of January, 2023.

ATTEST:

BOROUGH COUNCIL OF THE  
BOROUGH OF HANOVER

Secretary

By:

Council (Vice) President

APPROVED this 25<sup>th</sup> day of January, 2023.

Mayor

AN ORDINANCE

AN ORDINANCE AMENDING ORDINANCE NO. 2295 AS REFERENCED IN CHAPTER 309 OF THE HANOVER BOROUGH CODE ENTITLED "AN ORDINANCE OF THE BOROUGH OF HANOVER, YORK COUNTY, PENNSYLVANIA DEFINING SPECIAL EVENTS AND PROVIDING REGULATIONS TO ENSURE THE PUBLIC HEALTH, SAFETY, AND CONVENIENCE OF ALL RESIDENTS BY REQUIRING PERMITS FOR PUBLIC EVENTS ON THE PUBLIC PARKS AND PUBLIC RIGHTS-OF-WAY OF HANOVER BOROUGH."

BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Hanover, York County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. That the following sections of Ordinance No. 2295, under Chapter 309-1 of the Hanover Borough Code of Ordinances is hereby amended to read as follows:

§309-1. DEFINITIONS. For the purpose of this Ordinance, the definition of "PRIORITY EVENT" shall hereby be amended in its entirety as follows:

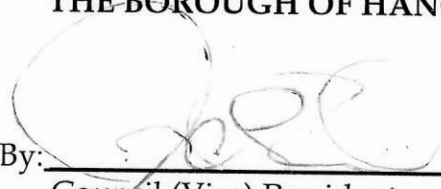
PRIORITY EVENT - A special event, as defined herein, that has long-standing tradition in the Borough and attracts substantial participation / attendance by Borough residents. Events under such definition shall include the Snack Town Street Fair to be held in July of each year, the Chili Cookoff to be held during Labor Day weekend of each year, the Snack Town Brewfest to be held in September of each year, and the Snack Town Runfest Half Marathon to be held in October of each year. These events will be afforded priority in the issuance of special event permits should the applying entity meet all of the necessary application requirements and follow all of the regulations established in this chapter.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Hanover Borough Council this 25<sup>th</sup> day of January, 2023.

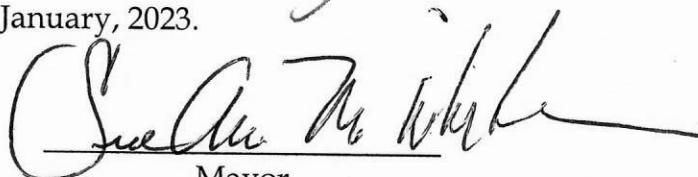
ATTEST:

BOROUGH COUNCIL OF  
THE BOROUGH OF HANOVER

  
Secretary

By:   
Council (Vice) President

Approved this 25<sup>th</sup> day of January, 2023.

  
Mayor